



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Branch (1145b)  
8800 Glacier Highway  
Suite 106B  
Juneau, Alaska 99801-8079

PUBLIC NOTICE DATE: May 18, 2005

EXPIRATION DATE: June 20, 2005

REFERENCE NUMBER: POA-1979-199-N  
WATERWAY NUMBER: Auke Bay

## MODIFICATION

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States (U.S.) as described below and shown on the attached plan.

APPLICANT: Department of Transportation and Public Facilities, 6860 Glacier Highway, Juneau, Alaska 99801-7999.

LOCATION: NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  of Section 21, T. 40 S., R. 65 E., Copper River Meridian; Latitude 58.382° North, Longitude 134.684° West; Auke Bay Ferry Terminal, City and Borough of Juneau, Alaska.

WORK: To place approximately 17,230-cubic yards of shot rock and rip-rap fill material on 0.58-acres of tide lands below the High Tide Line (HTL) to create an additional 155-foot by 165-foot by 115-foot area to the existing ferry terminal complex fill pad [(See attached Project Description (sheets 1-2) and Project Maps and Drawings (sheets 3-8))].

PURPOSE: The fill pad would support a new two story support building, vehicle parking, and vehicle loading/unloading area for the support building, in support of the Alaska Marine Highway System (AMHS) fast vehicle ferry M/V Fairweather.

ADDITIONAL INFORMATION: Permit 2-790199 was issued on December 12, 1979, for the placement of 44,000-cubic yards of fill material, construction of a 150-foot steel transfer bridge, and placement of six steel and concrete pipe dolphins extending 480-feet across the seaward face of the facility into waters and navigable waters of the U.S. Permit modification M-790199 was issued on September 18, 1996, for the placement of 108,840-cubic yards of fill and rip-rap material into waters and navigable waters of the U.S. for construction of a fill pad to support the expansion of the existing Auke Bay AMHS Ferry Terminal buildings and parking areas. These fill actions also resulted in the placement of 9,900-cubic yards of fill materials on upland sites.

For additional information please contact Mr. Ben White, ADOT&PF, 6860 Glacier Highway, Juneau, Alaska 99801-7999, at 907-465-8227 or email [ben.white@dot.state.ak.us](mailto:ben.white@dot.state.ak.us)

MITIGATION: As a result of early project planning and preapplication coordination, the applicant has incorporated into the proposed project the following mitigation efforts to reduce impacts to the aquatic environment:

- a. In-water work will not occur between March 15 and June 15.
- b. Fill material will be placed during low tides to reduce the amount of sedimentation.
- c. Fill material will be composed of shot rock fill and rip-rap, and will be "free of fines and suspended material to the extent practical".
- d. Oil-water separators will be monitored and maintained during both the construction and operation of the facility.
- e. The proposed fill impact has been reduced from 0.69-acres to 0.58-acres of tide lands.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity may adversely affect EFH. The proposed work may affect approximately 0.58 acres of EFH for juvenile/adult salmon, groundfish, crab, and scallops. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

ADOT&PF has completed an EFH assessment on behalf of the Federal Highway Administration, and has obtained concurrence from National Marine Fisheries Service (NMFS) in a letter dated July 19, 2004.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit

would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Garth Zimbelman at (907) 790-4490, or by email at [Garth.A.Zimbelman@nwo02.usace.army.mil](mailto:Garth.A.Zimbelman@nwo02.usace.army.mil) or [regpagemaster@poa02.usace.army.mil](mailto:regpagemaster@poa02.usace.army.mil) if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

( ) Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). Therefore, our public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments

### **Project Description:**

The Juneau Auke Bay Fast Vehicle Ferry Support Facility project requires the placement of fill material within the intertidal areas along the eastside of the existing ferry terminal structure near Juneau, Alaska. The support facility and associated parking and staging areas would then be constructed on the fill pad (see attached drawings). The fast vehicle ferry requires a shore-based support building for operations and maintenance, and the existing Auke Bay terminal building is not large enough or properly equipped for this purpose.

Approximately 0.76 acres of uplands and near-shore tidelands would be filled to provide a construction pad for the new support building. The fill material would consist of shot rock obtained from the nearby Stabler Point quarry or another local, off-site source. All offshore fill slopes will be armored with riprap slope protection. The new fill area would be capped by aggregate base and sub-base materials, and paved with an asphalt concrete surfacing. Storm water runoff would drain from the site through buried pipes and an oil-water separator. The new fill limits would extend over two existing highway drainage culverts. These culverts would be intercepted with new inlet structures and connected to the storm drainage system. The parking area would be equipped with concrete curbing for drainage control and guardrails for safety.

The proposed building structure would be a two-story framed structure measuring 30 feet wide by 130 feet long. The building would have two covered storage and vehicle parking areas on each end, resulting in a total building length of 130 feet. Office space, maintenance shop facilities, and provide storage for food, toiletries and other items needed to service the vessel by Alaska Marine Highway System (AMHS) maintenance crews on a daily basis would be provided within the new support building. Routine maintenance and passenger service operations generally consist of refueling vessels by vendor truck, refilling potable water supplies, pumping off vessel sewage, pumping out bilges, performing routine electrical and mechanical maintenance on the vessel, and cleaning and stocking the vessel. Waste oil and other maintenance related petroleum products would be stored in approved spaces and containers and disposed offsite in accordance with State and Federal regulations. Electrical power and lighting, and potable water utilities will be supplied to the building.

Initial scoping for the proposed project resulted in design changes to the fill pad and wastewater system. The original design of this project called for the placement of fill on a total 0.9 acres of which 0.69 acres was on tidelands. The fill was to extend out to the -5' tide line. After initial scoping, the design was modified to reduce the total footprint area to 0.76 acres and the amount of fill on the tidelands to 0.58 acres. The fill footprint will now extend out to the -3.5' tide line. DOT&PF has also decided to eliminate the proposed on site leach field that was originally envisioned for this project.

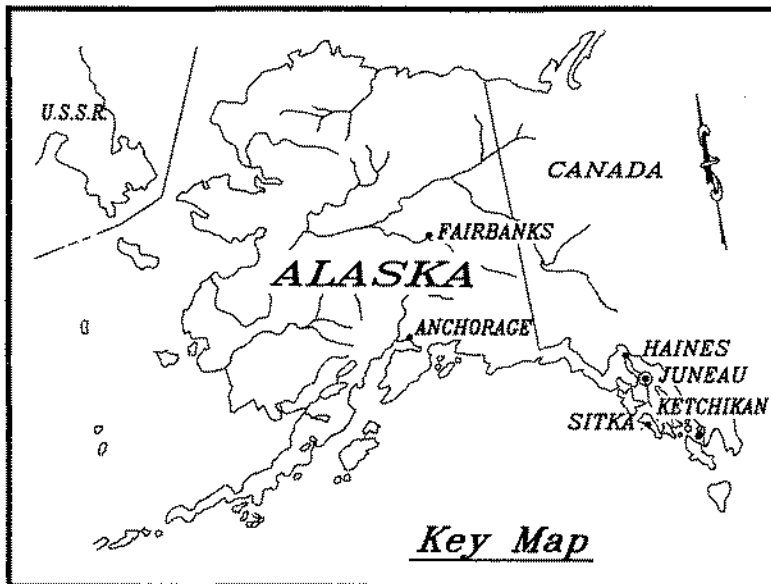
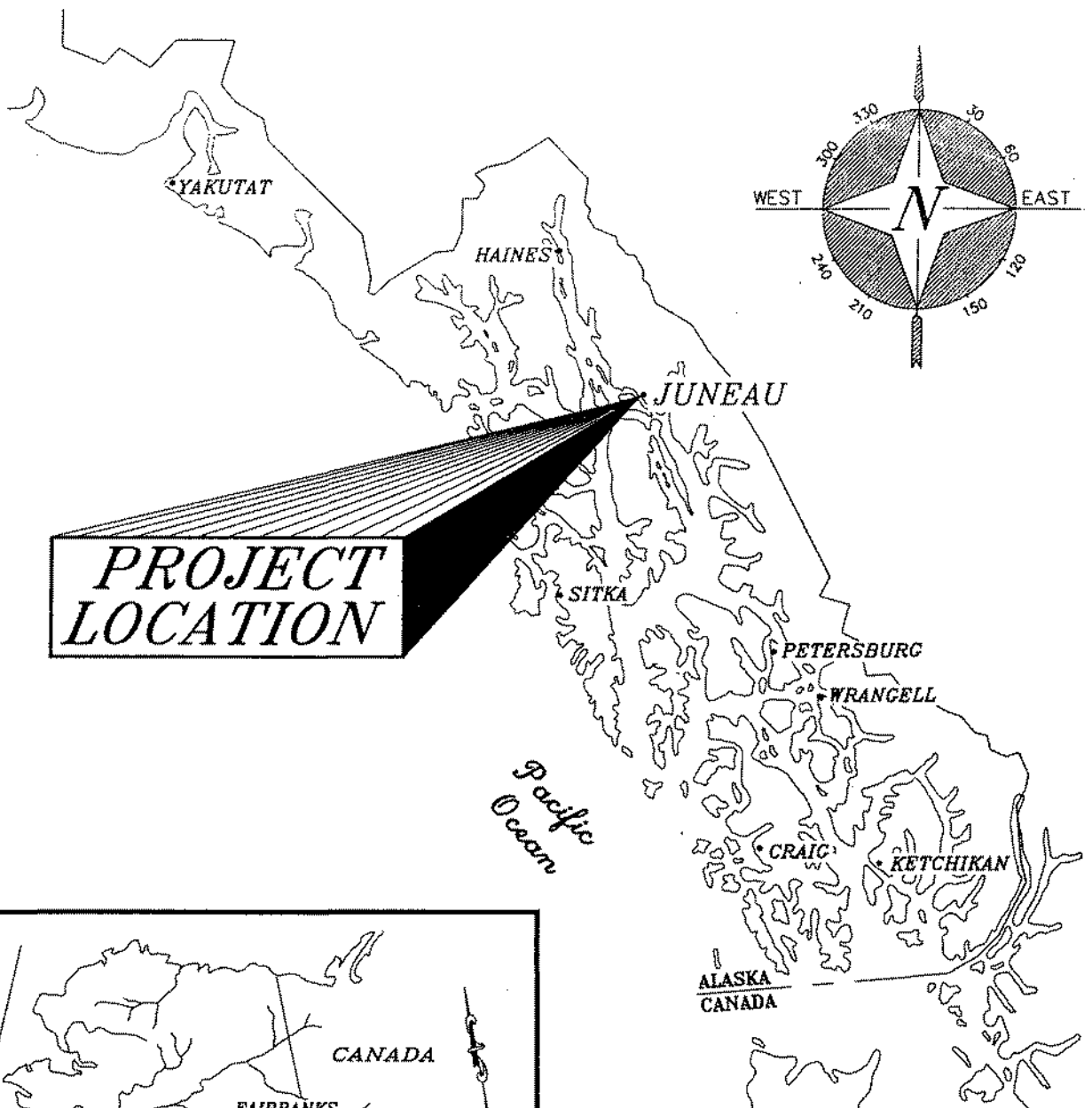
The proposed method of handling wastewater from the fast vehicle ferry and support facility is a pump and haul system. The ferry vessel will pump wastewater to the holding tank via an aerial pipeline that will be connected to the underside of the shore access

catwalk and the gangway. The holding tank will be sized to accommodate the maximum expected volume of wastewater effluent based on two or more days of vessel operation for a single vessel or for one day at such time three vessels utilize the Auke Bay terminal. The support building would contain a single restroom that would also be plumbed to the sewage holding tank. Final design of the holding tank will include obtaining all necessary wastewater discharge permits from the Alaska Department of Environmental Conservation (ADEC).

The waters of Auke Bay have been designated as Essential Fish Habitat (EFH) under the Magnuson-Stevens Fishery Conservation and Management Act. As this project may adversely affect EFH, DOT&PF, on behalf of the Federal Highway Administration, completed an EFH assessment and obtained NOAA Fisheries concurrence in a letter dated July 19, 2004. DOT&PF sent an updated EFH assessment to NOAA Fisheries on December 15, 2004 that accepted additional conservation recommendations.

Avoidance and minimization measures have been proposed for this project, which includes the following:

- In-water work will be avoided during the March 15 to June 15 timing window recommended by resource agencies.
- Fill material will be placed during low tides to reduce the amount of sediment introduced into the marine environment.
- Fill material will be composed of shot rock fill and riprap. The fill material will be free from fines and suspended material to the extent practicable, as well as free from contamination of petroleum products or toxic substances.
- Oil-water separators would be monitored and maintained during both the construction and operation of the facility.



Regional Map

**ADOT&PF**  
**Auke Bay Ferry**  
**Terminal Addition**  
**05/05/05**

**POA-1979-199-N**  
**Sheet 3 of 8**

**PROJECT PURPOSE:**  
 Construct new Fast Ferry Support building.

**APPLICANT:**  
 State of Alaska, DOT & PF  
**ADJACENT PROPERTY OWNERS:**  
 John Gitkov, Southeast Alaska Lightering  
 State of Alaska, DOT & PF  
 State of Alaska, DNR

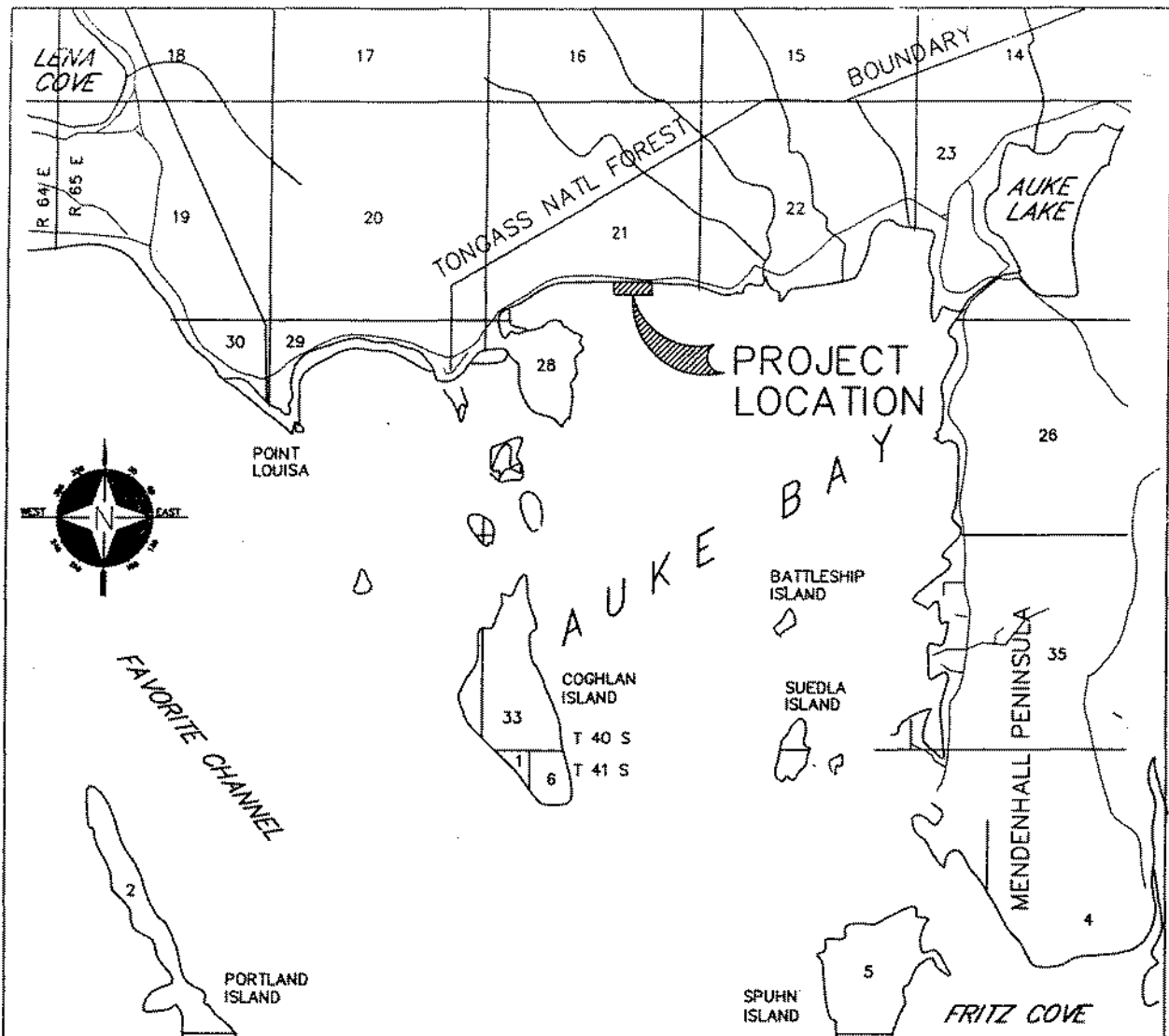
## Key & Regional Maps

ALASKA DEPT. of TRANSPORTATION  
 & PUBLIC FACILITIES  
 STATEWIDE DESIGN & ENGINEERING  
 SERVICES DIVISION

**Juneau Ferry Terminal**  
**Auke Bay FVF Support Bldg.**

AT: Juneau, Alaska  
 LOCATED IN: Township 40 South,  
 Range 65 East  
 Section 21, CRM

DATE: April 14, 2005 SHEET 1 OF 5



## VICINITY MAP

SOURCE: U.S.G.S. QUADRANGLE JUNEAU B-2,  
DATE: 1962, REV. 1974, AND JUNEAU B-3, DATE: 1962, REV. 1966

**ADOT&PF**  
**Auke Bay Ferry**  
**Terminal Addition**  
**05/05/05**

**POA-1979-199-N**  
**Sheet 4 of 8**

**PROJECT PURPOSE:**

Construct new Fast Ferry Support building.

**APPLICANT:**

State of Alaska, DOT & PF

**ADJACENT PROPERTY OWNERS:**

John Gitkov, Southeast Alaska Lightering

State of Alaska, DOT & PF

State of Alaska, DNR

ALASKA DEPT. of TRANSPORTATION  
& PUBLIC FACILITIES  
STATEWIDE DESIGN & ENGINEERING  
SERVICES DIVISION

**Juneau Ferry Terminal**  
**Auke Bay FVF Support Bldg.**

AT: Juneau, Alaska

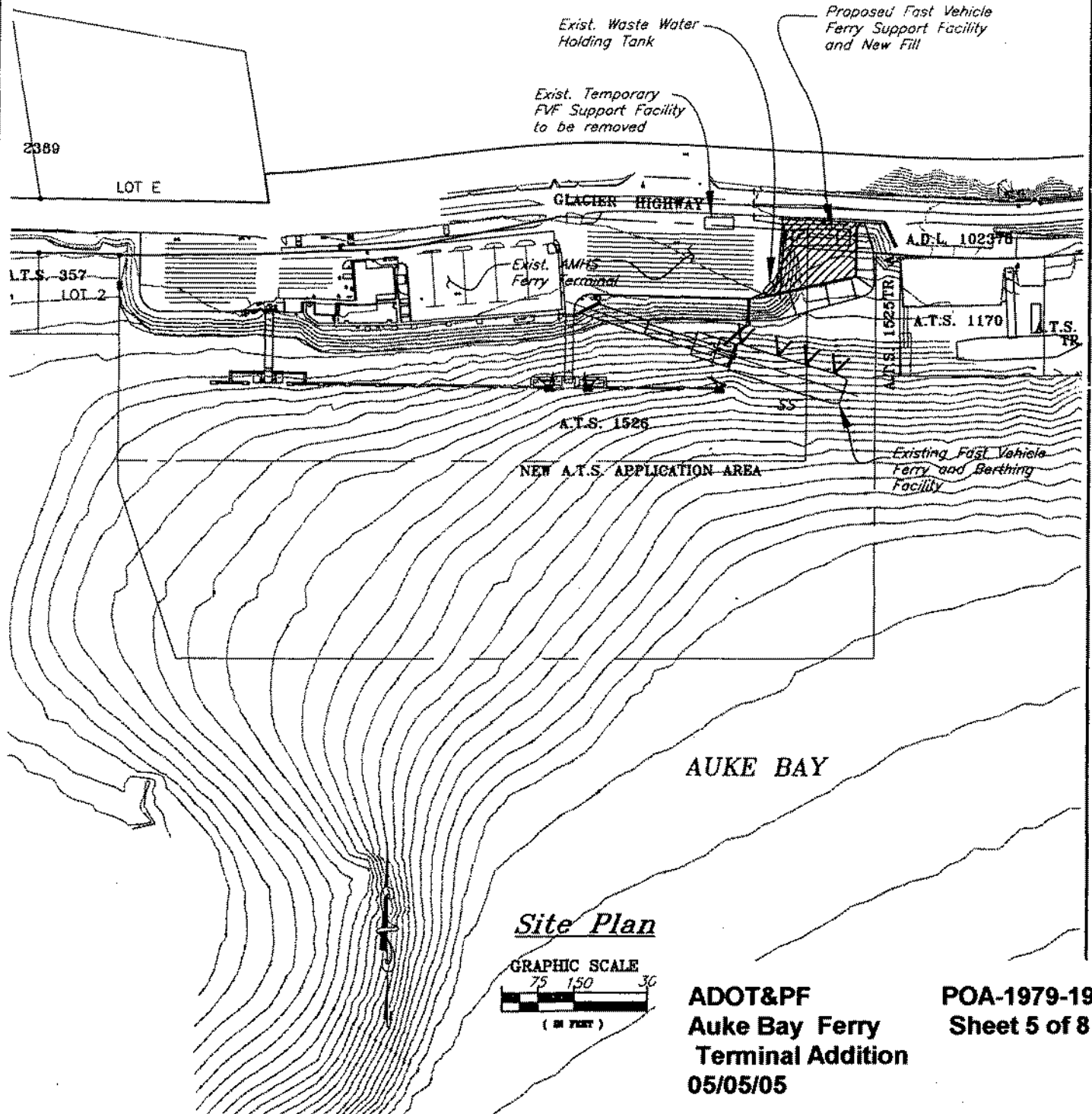
LOCATED IN: Township 40 South,  
Range 65 East,  
Section 21, CRM

DATE: April 14, 2005

SHEET 2 OF 5



CITY & BOROUGH OF JUNEAU  
U.S.S. 3810  
LOT 1



ADOT&PF  
Auke Bay Ferry  
Terminal Addition  
05/05/05

POA-1979-199-N  
Sheet 5 of 8

**PROJECT PURPOSE:**  
Construct new Fast Ferry Support building.

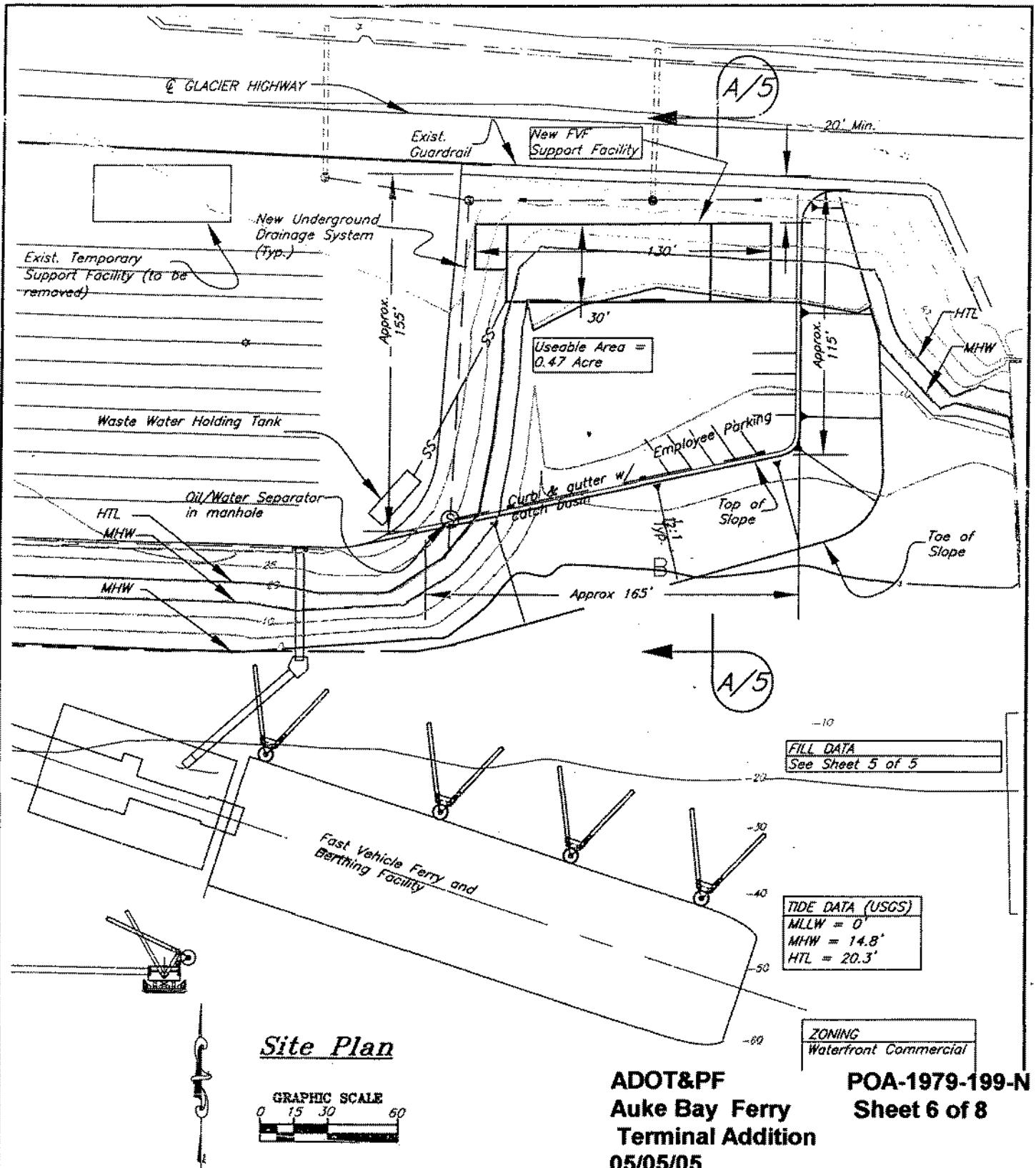
**APPLICANT:**  
State of Alaska, DOT & PF  
**ADJACENT PROPERTY OWNERS:**  
John Gitkov, Southeast Alaska Lightering  
State of Alaska, DOT & PF  
State of Alaska, DNR

ALASKA DEPT. of TRANSPORTATION  
& PUBLIC FACILITIES  
STATEWIDE DESIGN & ENGINEERING  
SERVICES DIVISION

**Juneau Ferry Terminal  
Auke Bay FVF Support Bldg.**

AT: Juneau, Alaska  
LOCATED IN: Township 40 South,  
Range 65 East  
Section 21, CRM

DATE: April 14, 2005 SHEET 3 OF 5



**PROJECT PURPOSE:**  
Construct new Fast Ferry Support building.

**APPLICANT:**  
State of Alaska, DOT & PF

**ADJACENT PROPERTY OWNERS:**  
John Gitkov, Southeast Alaska Lightering  
State of Alaska, DOT & PF  
State of Alaska, DNR

ALASKA DEPT. of TRANSPORTATION  
& PUBLIC FACILITIES  
STATEWIDE DESIGN & ENGINEERING  
SERVICES DIVISION

**Juneau Ferry Terminal**  
**Auke Bay FVF Support Bldg.**

AT: Juneau, Alaska  
LOCATED IN: Township 40 South,  
Range 65 East  
Section 21, CRM

DATE: April 14, 2005 SHEET 4 OF 5

**PROJECT PURPOSE:**  
Construct new Fast Ferry Support building.

**APPLICANT:**  
State of Alaska, DOT & PF

**ADJACENT PROPERTY OWNERS:**  
John Githov, Southeast Alaska Lightering  
State of Alaska, DOT & PF  
State of Alaska, DNR

ALASKA DEPT. of TRANSPORTATION  
& PUBLIC FACILITIES  
STATEWIDE DESIGN & ENGINEERING  
SERVICES DIVISION

**Juneau Ferry Terminal**  
**Auke Bay FVF Support Bldg.**

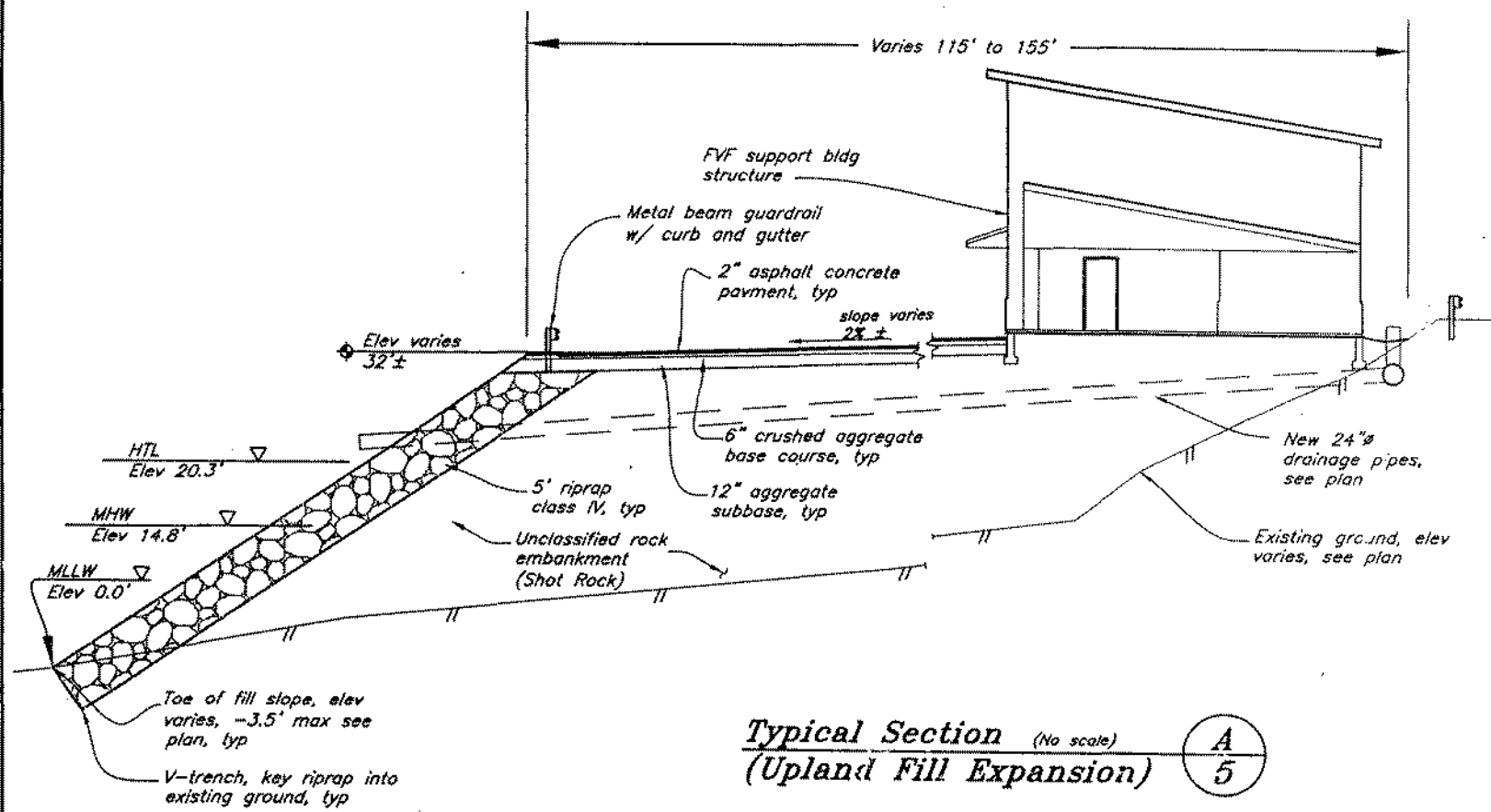
AT: Juneau, Alaska  
LOCATED IN: Township 40 South,  
Range 65 East  
Section 21, CRM

December 2, 2004 SHEET 5 OF 5

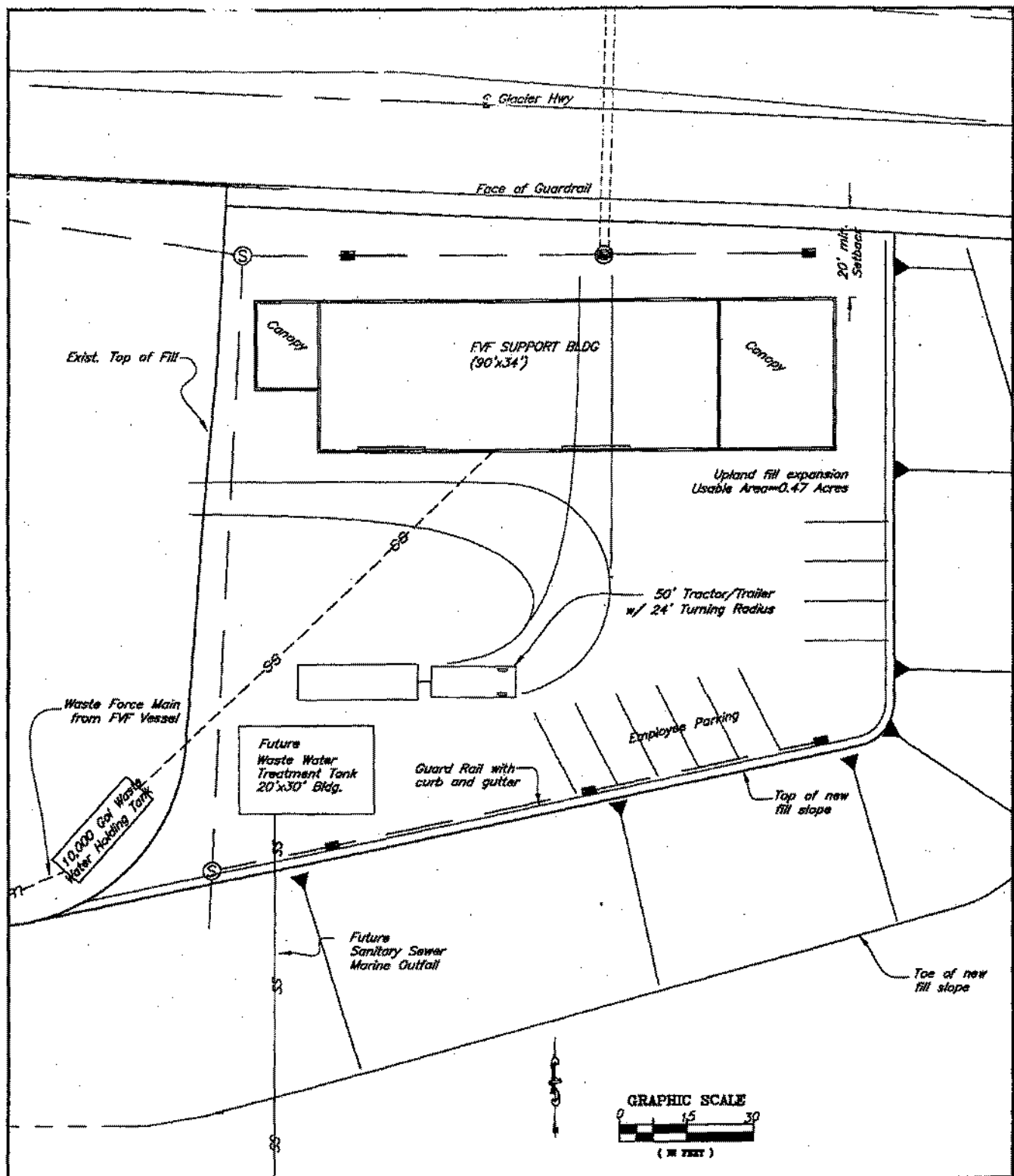
Upland Fill Expansion Data	
Finished Surface Area (Usable Area)	0.47 Acres
Total Fill Area (Embankment & Riprap Slopes)	0.76 Acres
Embankment & Riprap Fill Area Seaward of HTL	0.58 Acres
Embankment & Riprap Fill Area Seaward of MHW	0.48 Acres
Total Fill Volume (Embankment & Riprap)	17,230 CY
Total Riprap Volume	2,860 CY
Fill Volume below HTL	15,650 CY
Riprap Volume below HTL	1,650 CY
Fill Volume below MHW	4,280 CY

**ADOT&PF**  
**Auke Bay Ferry**  
**Terminal Addition**  
**05/05/05**

**POA-1979-199-N**  
**Sheet 7 of 8**



**Typical Section** (No scale)  
**(Upland Fill Expansion)**



DESIGNED BY: Loren Gehring, P.E.

CHECKED BY: Jack Beeble, P.E.

## Operational Layout Plan

ALASKA DEPT. of TRANSPORTATION  
& PUBLIC FACILITIES  
STATEWIDE DESIGN & ENGINEERING  
SERVICE

## Juneau Ferry Terminal Auke Bay FVF Support Bldg.

Addendum to COE Permit Application  
dated April 19, 2005

DATE: May 05, 2005 SHEET 1 OF 1

ADOT&PF  
Auke Bay Ferry  
Terminal Addition  
05/05/05

POA-1979-199-N  
Sheet 8 of 8

FRANK H. MURKOWSKI, GOVERNOR

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING  
302 GOLD STREET, SUITE 202  
JUNEAU, ALASKA 99801-1127  
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-1979-199-N**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

Attachment 1

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

### DEPT. OF ENVIRONMENTAL CONSERVATION

#### DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-1979-199-N, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation  
WQM/401 Certification  
410 Willoughby Avenue  
Juneau, Alaska 99801-1795  
Telephone: (907) 465-5321  
FAX: (907) 465-5274

Attachment 2